

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATE OF AMERICA

V.

CRIMINAL NO. 1:15-cr-36-HSO-RPM

CALVIN ALLEN

**GOVERNMENT’S RESPONSE TO DEFENDANT’S
MOTION FOR COMPASSIONATE RELEASE**

On April 20, 2020, Defendant filed a motion asking this Court to reduce his sentence of imprisonment under 18 U.S.C. § 3582(c)(1)(A) and order his immediate release, relying on the threat posed by the COVID-19 pandemic. ECF # 62. The Government filed a response addressing the issues of the motion on May 1, 2020. ECF # 66. The Defendant filed his reply to the Government’s response on May 26, 2020. ECF #69. On June 12, 2020, this Court denied both of Defendant’s motion without prejudice for failure to exhaust administrative remedies. ECF # 70. On October 27, 2020, Defendant filed another motion for compassionate release stating, among other things, that he had exhausted his administrative remedies. ECF # 72.

The Government concedes that Defendant has exhausted his administrative remedies, however the Government respectfully opposes this second motion for compassionate release and would ask this Court to refer to its previous submission on May 1, 2020 with respect to the other issues raised in Defendant’s motion.

Conclusion

For these reasons, this Court should deny Defendant's motion for compassionate release.

Respectfully submitted on this the 19th day of November, 2020.

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CERTIFICATE OF SERVICE

I hereby certify that on November 19, 2020, I electronically filed the foregoing with the Clerk of the Court using the ECF system to all ECF participant(s).

s/Shundral H. Cole
SHUNDRAL H. COLE
Assistant U.S. Attorney